

VZCZCXYZ0001
OO RUEHWEB

DE RUEHJMA #5030 3561329
ZNY CCCCC ZZH
O 221329Z DEC 06
FM AMCONSUL JERUSALEM
TO RUEHC/SECSTATE WASHDC 0000
INFO ARAB ISRAELI COLLECTIVE
RHEHNSC/NSC WASHDC
RUEATRS/DEPT OF TREASURY WASHDC
RUEHBS/USEU BRUSSELS

C O N F I D E N T I A L JERUSALEM 005030

SIPDIS

NOFORN
SIPDIS

NEA FOR FRONT OFFICE; NEA/IPA FOR
WILLIAMS/SHAMPAINE/STEINGER; NSC FOR ABRAMS/DORAN/WATERS;
TREASURY FOR NUGENT/HIRSON; BRUSSELS FOR LERNER; PLEASE
PASS TO USAID FOR KUNDER/MCCLOUD/BORODIN

E.O. 12958: DECL: 12/22/2016
TAGS: [PREL](#) [PGOV](#) [PBTS](#) [PTER](#) [ETRD](#) [KWBG](#) [IS](#) [EG](#)
SUBJECT: EU-BAM CHAIRS THIRD COORDINATION AND EVALUATION
MEETING ON THE RAFAH CROSSING

REF: A. JERUSALEM 4976
[1](#)B. JERUSALEM 4849

CLASSIFIED BY: ACTING PRINCIPAL OFFICER THOMAS M. DUFFY.
REASONS 1.4 (B) AND (D).

THIS CABLE WAS CLEARED BY EMBASSY TEL AVIV AND THE U.S.
SECURITY COORDINATOR.

[1](#)1. (U) ACTION REQUEST FOR THE DEPARTMENT IN PARAGRAPH 10.

[1](#)2. (C) SUMMARY: DURING A PRODUCTIVE BUT MORE EMOTIONAL
FOURTH MEETING OF THE COORDINATION AND EVALUATION COMMITTEE
(CEC), ISRAELIS AND PALESTINIANS CONTINUED THEIR SLOW
PROGRESS ON TACKLING OUTSTANDING ISSUES CONCERNING OPERATIONS
AT THE RAFAH AND KEREM SHALOM CROSSINGS, INCLUDING
NORMALIZATION OF OPERATIONS, IMPROVING THE PALESTINIAN
POPULATION REGISTRY, DEFINING CATEGORIES OF FOREIGNERS AND
OPENING THE CROSSING FOR RETURNING EID AL-ADHA PILGRIMS. A
LARGE PART OF THE MEETING WAS DEVOTED TO THE TRANSFER OF CASH
THROUGH RAFAH AND THE DECEMBER 14 ATTEMPTED CASH TRANSFER
INVOLVING PA PRIME MINISTER HANIYYAH. PALESTINIAN DELEGATION
CHIEF EREKAT CLAIMED THAT HE HAD RECEIVED SOLID ASSURANCES
FROM AN EGYPTIAN OFFICIAL THAT THE GOE WILL REQUIRE ALL
BEARERS OF LARGE SUM OF CASH TO DEPOSIT THE CASH IN AN
EGYPTIAN BANK PRIOR TO ALLOWING THAT PERSON TO TRANSIT THE
EGYPTIAN PORTION OF THE RAFAH CROSSING INTO EGYPT. HE
CLAIMED THAT HANIYYAHS TREATMENT FORMED A PRECEDENT THAT
SHOULD NOW ALLOW THE RAFAH CROSSING TO OPEN REGULARLY. POST
REQUESTS THAT THE USG CONFIRM WITH GOE OFFICIALS THEIR
UNDERSTANDING THAT A NEW STANDARD PROCEDURE IS IN PLACE
REGULATING THE TRANSFER OF CASH INTO GAZA. END SUMMARY.

[1](#)3. (C) THE HEAD OF MISSION FOR THE EUROPEAN UNION BORDER
ASSISTANCE MISSION (EU-BAM), LTG PIETRO PISTOLESE ,CHAired
THE THIRD MEETING OF THE COORDINATION AND EVALUATION
COMMITTEE (CEC), DECEMBER 20, IN JERUSALEM. CHIEF PLO
NEGOTIATOR SA'EB EREKAT LED THE PALESTINIAN DELEGATION, WHICH
INCLUDED GENERAL ADMINISTRATION OF CROSSINGS AND BORDER HEAD
NAZMI MUHANNA, PA PRESIDENCY SECURITY ADVISOR COLONEL HAZEM
ATTALAH, HEAD OF CROSSINGS SECURITY SALIM ABU SAFFIYA, AND
TWO MEMBERS OF THE NEGOTIATIONS SUPPORT UNIT. THE ISRAELI
DELEGATION WAS LED BY MOD SENIOR POLICY ADVISOR HAGGAI ALON
AND INCLUDED MOD ADVISOR ODDED HERMANN AND IDF COL NIR PRESS
OF THE COORDINATION AND LIAISON ADMINISTRATION. THE USG
DELEGATION INCLUDED THE CONGEN ACTING PRINCIPAL OFFICER, AND
REPRESENTATIVES FROM THE U.S. SECURITY COORDINATORS OFFICE,
EMBASSY TEL AVIV AND CONGEN JERUSALEM. THE NEXT MEETING IS

SCHEDULED FOR FEBRUARY 12, 2007.

NORMALIZING CROSSING OPERATIONS

14. (C) GENERAL PISTOLESE CALLED FOR THE NORMALIZATION OF CROSSING OPERATIONS AT RAFAH. HE NOTED THAT SINCE JUNE 25, RAFAH CROSSING HAS OPERATED FOR ONLY 30 DAYS OUT OF 179, AND, SINCE NOVEMBER 20, HAD BEEN OPEN FOR ONLY SEVEN OUT OF 30 DAYS. PISTOLESE ALSO BRIEFED PARTICIPANTS ON THE DEPARTURE THIS WEEK FROM GAZA THROUGH RAFAH OF THE HAJJ PILGRIMS AND THE NEED TO COORDINATE THEIR RETURN.

15. (C) EREKAT CALLED FOR THE CROSSING TO BE OPEN FIVE DAYS PER WEEK AND HIGHLIGHTED THE NEED FOR NORMAL OPERATIONS. HE FORMALLY REQUESTED THAT THE CROSSING BE OPEN DAILY FROM DECEMBER 29 TO JANUARY 9 TO FACILITATE MOVEMENT OVER THE EID AL-ADHA HOLIDAY. ALON PLEDGED TO DO AS MUCH AS HE COULD TO FACILITATE THE TRANSIT OF THE HAJJ PILGRIMS. ALON LATER STRESSED THAT BASIC TECHNICAL AND SECURITY MEASURES AT RAFAH THAT WERE DAMAGED DURING THE DECEMBER 14 DEMONSTRATION (REF A) MUST BE BACK IN PLACE BY DECEMBER 29. EREKAT AGREED, AND PISTOLESE SAID HE WOULD SEND AN EU-BAM TEAM TO CHECK THAT EVERYTHING IS BACK IN PLACE.

PALESTINIAN POPULATION REGISTRY

16. (C) EREKAT CONFIRMED THAT HE HAD MET DECEMBER 19 WITH COGAT GENERAL MISHLEV, WHO HAD PASSED TO HIM A COPY OF PALESTINIAN POPULATION REGISTRY. EREKAT SAID HE HAD JUST RECENTLY HANDED THE DATA OVER TO NAZMI MUHANNA FOR ANALYSIS. HE COMMENTED THAT HE HOPED THIS REGISTRY INCLUDED THE NAMES OF PALESTINIAN IDENTITY CARDHOLDERS WHO LIVE OVERSEAS.

CATEGORIES OF FOREIGN TRAVELERS

17. (C) GENERAL PISTOLESE NOTED THAT, ACCORDING TO THE AGREED PRINCIPLES FOR RAFAH CROSSING, USE OF THE CROSSING IS RESTRICTED TO PALESTINIAN IDENTITY CARD HOLDERS AND TO PERSONS IN FOUR OTHER CATEGORIES OF "EXCEPTIONAL CASES." PISTOLESE SAID THAT, WHILE THE CROSSING HAS NOW BEEN OPERATING FOR A CALENDAR YEAR, THE EU-BAM HAD NOT BEEN ABLE TO COMPLETE ITS EVALUATION OF THE PA'S PERFORMANCE AT THE CROSSING. PISTOLESE SAID HE SOUGHT TO CLARIFY THE SITUATION BY FURTHER DEFINING THE FOUR CATEGORIES OF INDIVIDUALS ENTITLED TO REQUEST USE OF THE CROSSING AND UNDER WHAT CONDITIONS.

18. (C) EREKAT NOTED THAT HE HAD VERY RECENTLY SENT TO GENERAL PISTOLESE THE PALESTINIAN DEFINITIONS OF THE CATEGORIES. PISTOLESE NOTED THAT HE HAD NOT YET RECEIVED A SET OF DEFINITIONS FROM THE ISRAELI SIDE. ALON SUGGESTED A JOINT MEETING WITH THE PALESTINIAN SIDE TO DISCUSS THE ISSUE FURTHER AND THEN REPORT ON THE DISCUSSION AT THE NEXT MEETING. THE PARTIES AGREED TO A REQUEST BY ALON THAT A USG REPRESENTATIVE ATTEND THE MEETING. PISTOLESE ALSO SOUGHT AND RECEIVED THE PARTIES' AGREEMENT TO EXTEND BOTH THE OPERATION OF THE CROSSING AND THE EU-BAMS EVALUATION PERIOD UNDER THE PREVAILING PROCEDURES UNTIL MAY 24, WHICH COINCIDES WITH THE END OF THE EU-BAMS CURRENT MANDATE.

CUSTOMS PROTOCOL AND COMMERCIAL
IMPORTS THROUGH KEREM SHALOM

19. (C) PISTOLESE NOTED THAT IMPLEMENTATION OF THE UNSIGNED CUSTOMS PROTOCOL WOULD ALLOW FOR MERCHANTS TO BE DIRECTED TO KEREM SHALOM. ALON SAID HE WOULD ASK THE GOI'S CUSTOMS EXPERTS TO RE-EVALUATE THE CUSTOMS PROTOCOL. IF THE EXPERTS RECOMMENDED SIGNATURE, ALON SAID, HE WOULD RAISE THE MATTER WITH THE POLITICAL LEVEL AND URGE SIGNATURE. EREKAT CALLED FOR THE CUSTOMS PROTOCOL BE SIGNED SO THAT COMMERCIAL IMPORTS COULD ENTER THROUGH KEREM SHALOM AND COMMERCIAL EXPORTS COULD DEPART VIA RAFAH.

TRANSFER OF CASH

¶10. (C) EREKAT PASSED TO THE EU-BAM A COPY OF THE CUSTOMS FORM NOW USED BY THE PALESTINIAN SIDE FOR CASH DECLARATIONS AT RAFAH. EREKAT RECOUNTED THE DECEMBER 14 INCIDENT INVOLVING HANIYYAH'S RETURN TO GAZA AS SETTING A PRECEDENT: THAT BEARERS OF LARGE AMOUNTS OF CASH WOULD NOW HAVE TO DEPOSIT THOSE SUMS IN AN EGYPTIAN BANK. EREKAT URGED THE GOI, USG, AND EU-BAM TO CONFIRM WITH THE GOE THAT A PRECEDENT HAD BEEN SET AND THAT THE GOE PLANNED TO FOLLOW THE SAME PROCEDURE WITH ALL TRAVELERS. BUILDING UPON THE IDEA OF A PRECEDENT, EREKAT CALLED FOR THE NORMALIZATION OF CROSSING OPERATIONS, GIVEN THAT WHAT HE INSISTED IS NOW A UNIFORM PROCEDURE EXISTS TO HANDLE THE TRANSFER OF CASH. (ACTION REQUEST FOR DEPARTMENT: PLEASE CONFIRM WITH GOE THAT A NEW POLICY FOR CASH TRANSFER FOR GAZA HAS BEEN IMPLEMENTED.)

EVENT OF DECEMBER 14, NEED
FOR CRISIS MANAGEMENT PROCEDURE?

¶11. (C) GENERAL PISTOLESE REVIEWED THE EVENTS OF DECEMBER 14 FROM THE EU-BAM'S PERSPECTIVE. HE SAID HE HAD DECIDED TO "SUSPEND OPERATIONS" IN ORDER TO CLARIFY THE SITUATION REGARDING THE ANTICIPATED ARRIVAL OF PA PRIME MINISTER HANIYYAH, WHO WAS REPORTEDLY CARRYING LARGE SUMS OF CASH. PISTOLESE SAID THAT WHILE HE WAS ATTEMPTING TO CLARIFY THE FACTS, SHOTS WERE FIRED AT THE CROSSING WHEN SEVERAL THOUSAND PEOPLE ENTERED THE CROSSING AREA, SO THE DECISION WAS MADE TO SUSPEND OPERATIONS AND WITHDRAW THE MONITORS. THOUGH THE EU-BAM WAS LATER INFORMED THAT AN AGREEMENT HAD BEEN REACHED ON THE EGYPTIAN SIDE, HE SAID IT TOOK ALMOST TWO HOURS TO RESTORE THE VIDEO CONNECTION BETWEEN THE LIAISON OFFICE AND THE TERMINAL AND TO CONFIRM THAT THE CROWDS HAD LEFT THE TERMINAL. IT TOOK ANOTHER THREE HOURS FOR THE PA TO REPORT THAT THE SITUATION WAS STABLE AND THE EU-BAM MONITORS COULD RETURN TO THE TERMINAL. PA PRIME MINISTER HANIYYAH SUBSEQUENTLY ENTERED THE TERMINAL. PISTOLESE SAID THAT BEFORE THE EU-BAM COULD OBSERVE THE CHECKING OF THE PARTIES' LUGGAGE AND DOCUMENTS, SHOOTING RE-STARTED AND THE MONITORS EVACUATED THE TERMINAL. PALESTINIAN OFFICIALS SUBSEQUENTLY ALLOWED THE HANIYYAH PARTY TO ENTER GAZA WITHOUT ALL THEIR BAGS BEING CHECKED. PISTOLESE CONFIRMED THAT HE SUBSEQUENTLY SENT A LETTER TO THE PA STATING THAT THE PA'S FAILURE TO CHECK EITHER THE PARTIES LUGGAGE OR DOCUMENTS WAS A BREACH OF THE AGREEMENT.

¶12. (C) ALON URGED THAT A SMALL TEAM BE SET UP TO STUDY THE ISSUE AND SUGGEST A PROCEDURE FOR BETTER MANAGING CRISES THAT MIGHT OCCUR. EREKAT RESPONDED BY REPEATEDLY STRESSING THAT HE REGRETTED THE INCIDENT. HE SAID THAT WHILE THE "PROBLEM" HAD BEEN SETTLED QUICKLY WITH THE GOE AND HANIYYAH, THE CROSSING HAD NOT REOPENED. HE CHARGED THAT THE GOI HAD WRONGFULLY AND UNJUSTLY ORDERED PISTOLESE TO CLOSE THE CROSSING AND HE SHARPLY CRITICIZED THE EU-BAM AND THE GOI. EREKAT ACKNOWLEDGED THAT THE ENTOURAGE'S LUGGAGE AND DOCUMENTS HAD NOT BEEN CHECKED ON THE PALESTINIAN SIDE, BUT SAID THAT WAS A CONSCIOUS PALESTINIAN DECISION TAKEN BECAUSE, HE CLAIMED, THE GOE HAD CAREFULLY SEARCHED THE LUGGAGE AND SCREENED THE DOCUMENTS.

¶13. (C) PISTOLESE RESPONDED THAT THE SUSPENSION HAD BEEN ONLY TEMPORARY AND THAT, IF SECURITY AT THE CROSSING HAD BEEN MAINTAINED, THE SUSPENSION WOULD HAVE ENDED EARLIER. EREKAT CALLED FOR FUTURE DECISIONS ON SUSPENSION TO BE MADE IN LINE WITH WHAT HE SAID ARE PROVISIONS IN THE AGREEMENT AND PROTOCOLS, AND SAID THAT THE GOI HAD NO RIGHT TO ASK THE EU-BAM TO SUSPEND OPERATIONS.

ISRAELI VIEWS ON NORMALIZATION AT RAFAH

¶14. (C) ALON NOTED THAT FULL NORMALIZATION COULD NOT OCCUR UNTIL THE FOLLOWING STEPS WERE TAKEN: (1) THE GOE CONFIRMED THAT IT WOULD FOLLOW A PROCEDURE OF INSISTING THAT TRAVELERS DEPOSIT CASH IN AN EGYPTIAN BANK IF THEY WERE CARRYING MORE THAN THE ALLOWED SUM; (2) THAT THE PALESTINIANS WOULD USE THE POPULATION REGISTRY HANDED OVER DECEMBER 19 BY GENERAL

MISHLEV TO EREKAT; (3) THE DAMAGE TO THE CROSSING FROM THE EVENTS OF DECEMBER 14 WOULD BE REPAIRED; AND (4) THAT THE FIBER OPTIC CABLE WAS RECONNECTED. HE SUGGESTED THAT THE TWO PARTIES MEET PRIOR TO THE SCHEDULED JANUARY 16 SECURITY WORKING GROUP MEETING AND THE NEXT CEC MEETING. EREKAT SAID THAT HE DID NOT SEE ANY LEGITIMATE SECURITY PREREQUISITES TO FORESTALL THE NORMALIZATION OF OPERATIONS, ESPECIALLY IF THE GOE CONFIRMS THAT THE PROCEDURE IS IN PLACE TO DEAL WITH CASH CARRIED BY TRAVELERS, THE DAMAGE TO THE TERMINAL IS REPAIRED, AND THE FIBER OPTIC CABLE RECONNECTED. HE STRESSED THAT KEEPING RAFAH CLOSED ONLY PLAYS INTO THE HANDS OF THE EXTREMISTS AND HAMAS.

DUFFY